



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Needleman et al.
Serial No.: 08/934,367
Filed: September 19, 1997
Entitled: AN IMMUNOLOGICAL PROCESS AND
CONSTRUCTS FOR INCREASING THE
HDL CHOLESTEROL CONCENTRATION
BY DNA VACCINATION

Examiner: M. Davis

Art Unit: 1642

#30
1CD
6-823

Attorney Docket No.: AVA-432.1 US

Commissioner for Patents
Box RCE
Washington, D.C. 20231

RECEIVED
APR 24 2003
TECH CENTER 1600/2900

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.56, 1.97, & 1.98
FILED WITH A REQUEST FOR CONTINUED EXAMINATION (RCE)**

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants submit this Information Disclosure Statement pursuant to 37 C.F.R. §§1.56, 1.97, and 1.98 in the above-identified application, along with a Request for Continued Examination. A Request for Continued Examination (RCE) pursuant to 37 C.F.R. §1.114 is filed concurrently herewith.

A listing of the cited documents is also enclosed, as well as, for the Examiner's convenience, copies of the documents on the list. Pursuant to 37 C.F.R. § 1.97(b)(4), this Statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114 and, as such, no fee is required.

The U.S. patent documents enclosed herein are submitted for consideration of their relevancy under 35 U.S.C. §102(e) to the patentability of the above-referenced application.

Please consider and make the following publications of record:

US Patents

Rittershaus, U.S. Patent 6,410,022, issued June 25, 2002 on Appln. Ser. No. 08/432,483, filed May 1, 1995;

Thomas, U.S. Patent 6,284,533, issued September 4, 2001 on Appln. Ser. No. 09/171,969, filed October 2, 1998, claiming the benefit of Appln. Ser. No. 08/802,967 filed February 21, 1997 and Ser. No. 60/052,983, filed May 1, 1996

Other Publications

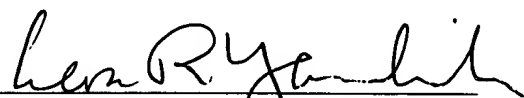
Leff, David N., "Anti-Atherosclerosis Vaccine Aims To Turn Autoimmunity From Pathogenic To Preventive," BioWorld Today, vol. 6, no. 95, page 1 (May 17, 1995).

Applicants do not intend to represent that any of the documents submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

The Commissioner is hereby authorized to charge any fees associated with the enclosed documents or credit any overpayments to Deposit Account No. 50-0268.

Applicants respectfully request that the documents submitted herein be considered and made of record in this application.

Respectfully submitted,

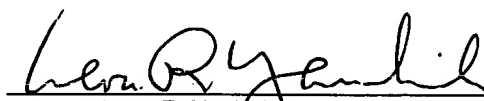


Leon R. Yankwich; Reg. No. 30,237
Attorney for Applicants
YANKWICH & ASSOCIATES
201 Broadway
Cambridge, Massachusetts 02139
telephone: (617) 374-3700
telefax: (617) 374-0055

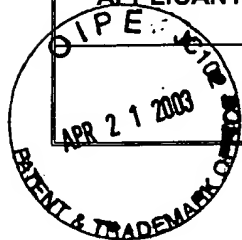
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

The undersigned hereby certifies that this correspondence listed above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10, postage prepaid, Express Mailing Label No. EV 191278721 US, in an envelope addressed to the Commissioner for Patents, Box RCE, Washington, D.C. 20231 on the date indicated below.

4/21/03
date


Leon R. Yankwich

Modified FORM PTO-1449	ATTY. DOCKET NO. AVA-432.1 US	SERIAL NO. 08/934,367
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT P. Needleman	
(Use several sheets if necessary)	FILING DATE September 19, 1997	GROUP 1642



REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	US 6,284,533	9/4/01	L. Thomas			10/2/1998
	AB	US 6,410,022	6/25/02	C. Rittershaus			5/1/1995
	AC						
	AD						
	AE						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION YES NO
	AF						
	AG						
	AH						
	AI						
	AJ						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AK	Leff, David N., "Anti-Atherosclerosis Vaccine Aims To Turn Autoimmunity From Pathogenic To Preventive," <u>BioWorld Today</u> , vol. 6, no. 95, page 1 (May 17, 1995).
AL	
AM	
AN	
AO	
EXAMINER	DATE CONSIDERED

RECEIVED
APR 24 2003
TECH CENTER 1600/2900

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

sheet 1 of 1